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10 *Attorneys for Plaintiff Primerica Life
11 Insurance Company*

12 **UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA**

14 PRIMERICA LIFE INSURANCE COMPANY,
15 a foreign corporation,

16 Plaintiff,

17 v.

18 AARON LATERRELL HARRIS, SR., an
19 individual; TAH'JAE RAY, as potential special
20 representative of the ESTATE OF CANDACE
21 HARRIS,

22 Defendants.

23 **AND RELATED COUNTERCLAIMS**

24 CASE NO. 2:22-cv-00660-RFB-BNW

25 **MOTION FOR SCHEDULING
26 CONFERENCE PURSUANT TO
27 LOCAL RULE 22-1.**

28 Pursuant to Local rule 22-1, Interpleader Plaintiff Primerica Life Insurance Company
(“Plaintiff”) hereby moves this court for a scheduling conference pursuant to Local Rule 22-1. This
Motion is based on the pleadings and papers on file and the attached memorandum points and
authorities.

29 **MEMORANDUM OF POINTS AND AUTHORITIES**

30 Local Rule 22-1 provides:

31 **LR 22-1. INTERPLEADER ACTIONS**

32 In all interpleader actions, the plaintiff must file a motion requesting that the court
33 set a scheduling conference. The motion must be filed within 30 days after the first
34 defendant answers or otherwise appears. At the scheduling conference, the plaintiff
35 must advise the court about the status of service on all defendants who have not
36 appeared. In addition, the court and parties will develop a briefing schedule or

1 discovery plan and scheduling order for resolving the parties' competing claims. If
 2 the plaintiff fails to prosecute the interpleader action by failing to file the motion
 3 required by this rule, the court may dismiss the action. No discharge will be granted
 4 and no plaintiff will be dismissed before the scheduling conference takes place.

5 Here, there are two defendants, Aaron Harris ("Harris") and Tah'jae Ray ("Ray"). Both
 6 defendants were served with the Summons and Complaint on April 23, 2022. (ECF Nos. 7, 8). On
 7 May 11, 2022, Harris filed his Answer (and Counterclaim), becoming the first defendant to answer
 or otherwise appear. (ECF No. 9).

8 On May 26, 2022, Primerica and Ray stipulated to provide Ray until June 8, 2022, to file
 9 and serve her answer. (ECF No. 10). The Court granted the extension on May 27, 2022. (ECF
 10 No. 11). As such, Ray's Answer to Primerica's Complaint in Interpleader is due on June 8, 2022.

11 *Id.*

12 On June 1, 2022, Primerica filed its Motion to Dismiss Harris' Counterclaims for Failure to
 13 State a Claim. (ECF No. 12). Harris's Response is due on June 15, 2022.

14 However, with Harris having Answered, Plaintiff is on the clock to file this Motion pursuant
 15 to LR 22-1, and hereby requests the scheduling of a status conference. At the scheduling
 16 conference, Plaintiff work to create a briefing schedule and scheduling order and ask this court for
 17 an Order to deposit the contested interpleader funds and to dismiss Plaintiff from this action.

18 Accordingly, Plaintiff respectfully requests that this Court grant its Motion for a Scheduling
 19 Conference pursuant to Local Rule 22-1.

20 Dated this 1st day of June 2022.

21 **ORDER**

22 IT IS ORDERED that ECF No. 13 is
 23 GRANTED.

24 IT IS FURTHER ORDERED that a
 25 status conference is set for 6/24/2022
 26 at 12:00 p.m. via Zoom video
 27 conference. Parties must contact
 courtroom administrator Jeff Miller at
 jeff_miller@nvd.uscourts.gov to
 obtain a Zoom invitation.

28 IT IS SO ORDERED

DATED: 9:08 pm, June 02, 2022



BRENDA WEKSLER
 UNITED STATES MAGISTRATE JUDGE

CLYDE & CO US LLP

23 by: /s/ Lee H. Gorlin
 24 Amy M. Sambberg (NV Bar No. 10212)
 25 Lee H. Gorlin (NV Bar No. 13879)
 26 7251 West Lake Mead Boulevard, Suite 430
 27 Las Vegas, NV 89128

Attorneys for Plaintiff Primerica Life
 Insurance Company

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **MOTION FOR SCHEDULING CONFERENCE**

PURSUANT TO LOCAL RULE 22-1. was served by the method indicated:

BY FAX: by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).

BY U.S. MAIL: by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed to the parties who have yet to appear, as set forth below:

Aaron L. Harris, Sr. #928435
Clark County Detention Center
330 South Casino Center Boulevard
Las Vegas, Nevada 89101

BY ELECTRONIC SERVICE: submitted to the above-entitled Court for electronic service upon the Court's Service List for the above-referenced case.

BY EMAIL: by emailing a PDF of the document listed above to the email addresses of the individual(s) listed below.

Brandon W. McCoy Esq.
bmccoy@mccoylawgroup.com
dmassaro@mccoylawgroup.com

Dated: June 1, 2022

/s/ Gina Brouse
An Employee of Clyde & Co US LLP